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State Superintendent of Schools

TO: Members of the State Board of Education

FROM: Karen B. Salmon, Ph.D.

DATE: October 23, 2018

SUBJECT: Defining Gifted and Talented Student Group
COMAR 13A.04.07
Gifted and Talented Education
PERMISSION TO PUBLISH

PURPOSE:

The purpose of this action is to provide an update on the identification of gifted and talented students as an accountability and reporting student group in Maryland’s Every Student Succeeds Act (ESSA) Consolidated State Plan. An additional purpose is to request permission to publish amended language to COMAR 13A.04.07 *Gifted and Talented Education*.

REGULATION PROMULGATION PROCESS:

Under Maryland law, a state agency, such as the State Board, may propose a new regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the Administrative, Executive, and Legislative Review (AELR) Committee for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, the Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because suggested revision is not a substantive change; or (3) revise the regulation and re-propose it because the suggested revision is a substantive change. At any time during this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

BACKGROUND/HISTORICAL PERSPECTIVE:

The following language was included in Maryland’s consolidated ESSA plan: “The State intends to take steps to add ‘gifted and talented students’ as an additional student group by the end of the school year 2017-18.” The proposal to define gifted and talented (GT) students based upon the COMAR was presented to the State Board on June 20, 2018 and September 25, 2018:

Gifted and talented students are those identified by local school systems according to COMAR 13A.04.07.02 (Identification of Gifted and Talented Students) and receiving services according to COMAR 13A.0.07.03 (Programs and Services).

While identification is required by COMAR 13A.04.07, Maryland local school systems use a wide variety of processes and assessments. The GT Advisory Council and GT Supervisors have been revising the *Criteria for Excellence* with specific identification guidelines and best practices as well as guidelines for programs and services. Strategic planning sessions with national experts at the MD GT Equity Symposium in June focused on building consensus around the topics of universal screening, grade bands for identification, and multiple methods of identification.

The new draft *Maryland's Model of Gifted and Talented Education: Maryland's Gifted and Talented Definitions and Implementation Requirements* document will guide local school systems in the implementation of the amended regulation. The document includes the MSDE list of approved identification measures and programs/services. As requested after the September 25, 2018 State Board meeting discussion, a Maryland Gifted and Talented Student Identification Model for all local school systems has been added to the identification requirements. This can be implemented at no cost to the school system and will ensure that universal screening will be implemented in all school systems. The MSDE will continue to work with local school system leaders to refine the definitions document, including simulations with local data. Funding from the Javits Gifted and Talented grant will enable the MSDE to work with national experts and states with exemplary programs to develop implementation guides and training for local school systems.

EXECUTIVE SUMMARY:

Based upon discussion at the June 20, 2018 State Board meeting and input from local school system leaders at the Maryland GT Equity Symposium, amendments to COMAR 13A.04.07 strengthen the regulation and include mandates and accountability with the goal of more equitable and consistent identification and programs for GT students in the State.

After the September 25, 2018 State Board meeting, further enhancements to the regulation mandate GT identification at multiple grade bands and that local school systems implement programs and services from an MSDE list of approved programs. The regulation builds in additional accountability, including peer review and annual reports to the State Board.

ACTION:

Request permission to publish amendments to COMAR 13A.04.07 *Gifted and Talented Education*.

Attachment 1: COMAR 13A.04.07 *Gifted and Talented Education*

Attachment 2: Draft *Maryland's Model of Gifted and Talented Education: Maryland's Gifted and Talented Student Identification Requirements*

Attachment 3: Summary of National Gifted and Talented Policy Trends and Maryland Local Education Agencies GT Identification Policies

Attachment 4: Education Commission of the States -
State and Federal Policy: Gifted and Talented Youth

Attachment 5: State of the States in Gifted Education Policy and Practice Data:

Table 14: Requirements for Identification

Table 18: Gifted and Talented Programming and Services

Code of Maryland Regulations
 Title 13A
 STATE BOARD OF EDUCATION
 Subtitle 04 SPECIFIC SUBJECTS
Chapter 13A.04.07 Gifted and Talented Education
 Authority: Education Article, § 5-401, and § 8-201 – 204, Annotated Code of Maryland
 COMAR 13A.04.07

.01 Purpose

Gifted and talented students are found in all Maryland schools and in all cultural, ethnic, and economic groups. The intent of this chapter is to provide local school systems with direction for identifying students and developing and implementing the gifted and talented education programs and services needed to develop these students' full potential. These regulations establish the minimum standards for student identification, programs and services, professional **[development]** *learning*, and reporting requirements.

.02 Identification of Gifted and Talented Students

- A. Each local school system shall establish an *equitable* process for identifying gifted and talented students as they are defined in the Educational Article §8-201;
- B. The identification pool for gifted and talented students shall encompass all students;
- C. The identification process shall use *universal screening and* multiple indicators of potential, **[aptitude]** *ability*, and achievement *from an annually reviewed Maryland State Department of Education approved list of assessments and checklists*;
- D. *A universal screening process shall be used to identify 10 percent of students in each school by Grade 3. Additional identification shall occur at the 3-5 and 6-9 grade bands* for participation in the programs and services described in § .03 of this regulation; and
- [E. Each school system shall review the effectiveness of its identification process.]**
- E. Each school system shall **[consider implementing an identification process that]**:
 - (1) Document[s] early evidence of advanced learning behaviors, PreK-2;
 - (2) **[Includes procedures]** *Develop equitable policies* for identification and a process for appeals that are clearly stated in writing, made public, and consistently implemented systemwide; **[and,]**
 - (3) *Review the effectiveness of its identification process; and,*
 - (4) Provide[s] ongoing professional **[development]** *learning* for *teachers, administrators, and other personnel* **[school staff]** in the *identification procedures*, characteristics, *academic*, and *social-emotional* needs of gifted and talented students.
- F. *The Department shall:*
 - (1) *Review and approve each school system's identification process to ensure compliance with this regulation.*
 - (2) *Provide a Maryland's Model of Gifted and Talented Education: Maryland Gifted and Talented Student Identification Requirements document that uses available State-mandated achievement assessments for gifted and talented screening for adoption by school systems without an approved identification process.*

.03 Programs and Services

A. Each school system shall provide different services beyond those normally provided by the regular school program *from an annually reviewed Maryland State Department of Education approved list of programs and services* in order to develop the gifted and talented student's potential. Appropriately differentiated, *evidenced-based* programs and services shall accelerate, extend, or enrich instructional content, strategies, and products to demonstrate and apply learning.

- (1) Each school system shall review the effectiveness of its programs and services.
- (2) Each school system shall **consider implementing** *implement* programs and services for gifted and talented students that:
 - a. Provide a continuum of appropriately differentiated *curriculum, and evidence-based* academic programs and services in grades PreK-12 during the regular school day for identified gifted and talented students.
 - b. Provide programs and services to support the social and emotional growth of gifted and talented students.
 - c. Provide programs and services to inform and involve parents/guardians of gifted and talented students.

.04 Professional [Development] Learning

- A. Teachers and other personnel assigned specifically to work with students who have been identified as gifted and talented shall engage in professional **[development]** *learning* aligned with the competencies specified by the Gifted and Talented Education Specialist certification §13A.12.03.12.
- B. Teachers who wish to pursue leadership roles in gifted and talented education shall be encouraged to obtain Gifted and Talented Education Specialist certification as defined in §13A.12.03.12.

.05 State Advisory Council

The State Superintendent of Schools shall maintain an Advisory Council for Gifted and Talented Education that shall advise the Superintendent on issues and best practices relevant to the education of gifted and talented students in Maryland.

.06 Monitoring and Reporting Requirements

- A. *Beginning September 1, 2019, [L]local school systems shall [in accordance with Education Article §5-401 (c) report in their Bridge to Excellence Master Plans] report their identification process, continuum of programs and services, and data-informed goals, targets, strategies, [objectives,] and [strategies regarding the performance of gifted and talented students along with] timelines regarding the performance of gifted and talented students in their consolidated local ESSA plan. [for implementation and methods for measuring progress.]*
- B. *Beginning September 1, 2019, the Maryland State Department of Education shall:*
 - (1) *Facilitate a peer-review of local school systems' gifted and talented identification, programs and services every three years.*
 - (2) *Submit an annual report on the status and progress of gifted and talented students in Maryland to the State Board of Education.*



Maryland's Model of Gifted and Talented Education

Gifted and Talented Definitions and Implementation

Gifted and Talented students are those identified by local school systems according to COMAR 13A.04.07.02 (Identification of Gifted and Talented Students) and receiving services according to COMAR 13A.04.07.03 (Programs and Services).

Education Article §8-201. "Gifted and talented student" means an elementary or secondary student who is identified by professionally qualified individuals as:

- (1) Having outstanding talent and performing, or showing the potential for performing, at remarkably high levels of accomplishment when compared with other students of a similar age, experience, or environment;
- (2) Exhibiting high performance capability in intellectual, creative, or artistic areas;
- (3) Possessing an unusual leadership capacity; or
- (4) Excelling in specific academic fields.

[An. Code 1957, art. 77, § 106F; 1978, ch. 22, § 2; 1997, ch. 109; 2003, ch. 418.]

Identification of Gifted and Talented (GT) Students:

- Each local school system must submit its identification process to the Maryland State Department of Education (MSDE) for approval. The identification process must meet the requirements described in COMAR 13A.04.07.02:
 - Equitable process
 - Identification pool encompasses all students
 - Use of universal screening
 - Use of multiple indicators of potential, ability, and achievement from the MSDE list of approved assessments and checklists (see page 2).
 - Identify students by Grade 3 and at the 3-5 and 6-9 grade bands for participation in GT programs and services
 - Document early evidence of advanced learning behaviors, PreK-2
 - Develop and implement equitable identification policies, including appeals, stated in writing and accessible to the public
 - Review the effectiveness of the identification process
 - Provide ongoing professional learning for teachers, administrators, and other personnel in the identification procedures, characteristics, academic, and social-emotional needs of GT students
 - Additionally, school systems should strive to identify at least 10 percent of their students for GT programs and services. School systems are encouraged to use available State-mandated achievement assessments as one of their multiple measures of identification. The identification of students by Grade 2 and the use of local norms



and group-specific norms will address Maryland’s commitment to identify and provide programs and services to traditionally underrepresented students.

- If a local school system’s identification process is not submitted to and approved by MSDE, the school system is required to use the Maryland Gifted and Talented Student Identification Model.

Maryland’s Gifted and Talented Student Identification Model:

- Identify 10 percent of all Grade 3 students in the school system.
- Identify the top 5 percent of Grade 3 students achieving a 4 or 5 in every school in the school system based upon the state-mandated assessments in mathematics and English language arts.
- Use documentation of advanced learning behaviors PreK-2 and multiple measures from the list of MSDE Approved Assessments and Checklists to identify additional students.

MSDE Approved Assessments and Checklists

Cognitive Ability Assessments	Aptitude and Achievement Assessments	Alternate Assessments
<p>Group Administered</p> <ul style="list-style-type: none"> • Cognitive Abilities Test (CogAT) • Naglieri Nonverbal Assessment (NNAT) • Otis-Lennon School Ability Assessment (OLSAT) • Terra Nova InView of Cognitive Skills <p>Individually Administered</p> <ul style="list-style-type: none"> • Stanford/Binet • Wechsler Preschool Primary Scale of Intelligence (WPPSI) • Woodcock Johnson Test of Cognitive Ability • Wechsler Intelligence Scale for Children (WISC) 	<ul style="list-style-type: none"> • ACT • PSAT/SAT • School and College Ability (SCAT) Test • i-Ready Mathematics and Reading Achievement Assessments • Northwest Evaluation Association Measures of Academic Progress (NWEA MAP) Reading or Mathematics • State Achievement Assessments • Partnership for Assessment and Readiness for College Careers (PARCC) Exam • Performance Series: Reading and Mathematics • Stanford Achievement Test Series • Test of Mathematical Giftedness • Woodcock Johnson Individual Achievement Tests • Maryland Comprehensive Achievement Program (MCAP) • Amplify ELA • mCLASS: Dynamic Indicators of Basic Early Literacy Skills (DIBELS) • mCLASS: Text Reading Comprehension (TRC) • Electronic Ready Inventory (ERI) 	<ul style="list-style-type: none"> • Torrance Test of Creativity • ACCESS for ELLs • Clarks Drawing Ability Test (CDAT) Profile of Creative Abilities (PCA)
Behavioral Checklists	Supplemental Information	



<ul style="list-style-type: none"> ● Gifted Evaluation Scale (GES -3) ● Slocomb Payne Teacher Perception Inventory ● Renzulli Hartman Rating Scale ● Screen Assessment for Gifted Elementary and Middle School Students (SAGES) ● HOPE Teacher Rating Scale ● Renzulli Scale ● Gifted and Talented Evaluation Scales (GATES) ● Scales for Rating the Behavior Characteristics of Superior Students (SRBCSS) 	<ul style="list-style-type: none"> ● Student Interviews ● Student portfolios (including rough drafts, planning sketches, to record idea development) ● Primary Talent Development (PTD) portfolios ● Student auditions, exhibits, shows for media, and fine and performing arts ● Nominations ● Districtwide Local Performance Assessments
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Programs and Services: (Currently under development)

Local school systems must provide a continuum of programs and services beyond those normally provided by the regular school program for GT students as required by COMAR 13A.04.07.03:

- Include appropriately differentiated curriculum
- Utilize evidence-based academic programs and services in PreK-12
- Accelerate, extend, or enrich instructional content, strategies, and products to demonstrate and apply learning
- Provide during the regular school day
- Support the social and emotional growth of GT students
- Include parent/guardian education and involvement
- Review effectiveness
- Found in the MSDE approved list of programs and services

MSDE Approved Programs and Services for GT Students

- Services Provided by a Resource Teacher or Specialist
 - Full-time, self-contained classrooms
 - Single-subject self-contained classrooms
 - Co-teaching in a cluster-group classrooms
 - Resource room or Pull-out
- Services Provided by General Education Teacher
 - Grouping
 - Ability grouping/regrouping for specific instruction
 - Cluster grouping
 - Within-class/flexible grouping
 - Between-class grouping
 - Grouping by interest, as in the practice of enrichment clusters
 - Co-teaching in a cluster group classroom
 - Honors or Advanced Academics classes
 - Advanced Placement™ classrooms and/or International Baccalaureate™ classrooms



- Other Service Options and Strategies
 - Individualized Learning Plans (ILPs)
 - Services provided by a trained arts instructor
 - Acceleration
 - Early admission to Kindergarten
 - Grade-skipping (or whole-grade acceleration)
 - Continuous progress
 - Self-paced instruction
 - Subject-matter acceleration/partial acceleration (Or content-based acceleration)
 - Combined classes
 - Pull-out program
 - Curriculum compacting
 - Telescoping curriculum
 - Mentoring
 - Extracurricular programs
 - Distance learning or online learning courses
 - Concurrent/Dual enrollment
 - Advanced Placement™
 - International Baccalaureate™ program
 - Accelerated/honors high school or residential high school on a college campus
 - Credit by examination
 - Early entrance into middle school, high school, or college
 - Acceleration in college
 - Early graduation from high school or college
 - Specialized classes or schools
 - Magnet classes, programs, or schools
 - Dual-enrollment or other cooperative programs providing opportunities for students to earn college credit while enrolled in public school
 - Online or distance-learning opportunities (courses must be on the MSDE approved list)
 - Mentorship, internships, and externships
 - Afterschool, Saturday, or summer programs
 - Expert-in-Residence programs
 - Enrichment Programs (e.g., Science Fairs, Destination Imagination, Odyssey of the Mind, National History Day, Science Olympiad, and others)
 - Socratic Seminars
 - Shared-Inquiry Discussions
 - Research-based curricular resources for gifted students

Programs aligned to the National Association for Gifted Children’s (NAGC) “Pre-K-Grade 12 Gifted Programming Standards” <https://www.nagc.org/resources-publications/resources/national-standards-gifted-and-talented-education>.



Summary of National Gifted and Talented (GT) Policy Trends and Maryland Local School System GT Identification Policies

(Also See Attachment 4: Education Commission of the States, *State and Federal Policy: Gifted and Talented Youth* and Attachment 5: *State of the States in Gifted Education* for further information)

States of Interest:

Colorado

- Identification, time of identification are mandated
- State provides list of commonly used assessments
- New rule of gifted portability
- State funding provided
- Some specific GT programs required by state
- District Unified improvement Plan process includes GT performance and action plans; onsite monitoring every 3-4 years

Minnesota

- State GT definition in Minnesota Automated Reporting Student System; Local Education Agencies (LEAs) not required to follow state definition
- Identification mandated, but identification process left to the LEA
- GT mandate; no categories of programs/services required
- Partial funding provided by state

Illinois

- New Accelerated Placement Act requires identification, programs, and district acceleration policies

Kentucky

- State GT definition
- Specific categories of programs/services required by state
- LEAs required to use same GT identification; grade and multiple points mandated
- LEAs must submit report to the state in order to receive state funding
- Districts are randomly selected for monitoring



Alabama

- State definition for GT
- Identification mandated but process varies by LEA
- Monitoring by state with corrective action plans
- No state report
- Mandate for GT programs
- Some specific GT programs required by state
- State provides GT funds to LEAs

Ohio

- State definition for GT
- State list of assessment instruments with qualifying scores
- Districts must test for gifted identification even if they provide no GT services
- State provides operating standards for GT identification and services
- Includes gifted students in two of its ESSA accountability measures: achievement and growth

Summary of Maryland Local School System GT Identification Policies:

- All 24 LEAs have a GT identification process in place as currently required by COMAR
- 22 of 24 LEAs have a “flag” for GT students in their student information system
- 18 of 24 LEAs employ universal screening using one of four assessments (CogAT, NNAT, InView, or Otis Lennon) on the MSDE approved list.
- 18 of 24 LEAs identify gifted students before grade 3



POLICY ANALYSIS



FOCUS IN.
Study up on important education policies.

State and Federal Policy: Gifted and talented youth

JULIE WOODS

In 1993, the U.S. Department of Education published *National Excellence: A Case for Developing America's Talent*, both to draw attention to the "quiet crisis" that continues in how we educate top

WHILE AT LEAST 37 STATES DEFINE GIFTEDNESS IN STATE POLICY, ONLY 30 REQUIRE DISTRICTS TO APPLY THE STATE DEFINITION TO THEIR STUDENTS.

students" and to address some of the challenges of that crisis.¹ Today, education leaders and policymakers continue to wrestle with the same quiet crisis of failing to challenge and support the nation's high achievers.

While a single cause for this struggle is not clear, in recent years, many policies, schools and teachers have focused on improving the performance

of low-achieving students rather than developing the highest performers. This may be associated, at least in part, with the current state and federal focus on accountability systems and closing the achievement gap.² Yet research links gifted program participation with "increased academic performance... and improvements in such domains as motivation, self-efficacy, engagement with learning, nonacademic self-concept, and overall stress."³ Some argue that high-achievers play a key role in economic competitiveness – and thus warrant as much attention as low performers.⁴

When first published 23 years ago, *National Excellence: A Case for Developing America's Talent* recommended the following steps to better support gifted students: 1) set challenging curriculum standards, 2) provide more challenging

32 states

currently provide **additional funding** for gifted and talented programs.

Low-income and **minority students** are **less likely** to be **identified** as **gifted** or to participate in gifted education programs.

Related Education Commission of the States reports:

State and Federal Policy: **HOMELESS YOUTH**

State and Federal Policy: **MILITARY YOUTH**

State and Federal Policy: **INCARCERATED YOUTH**

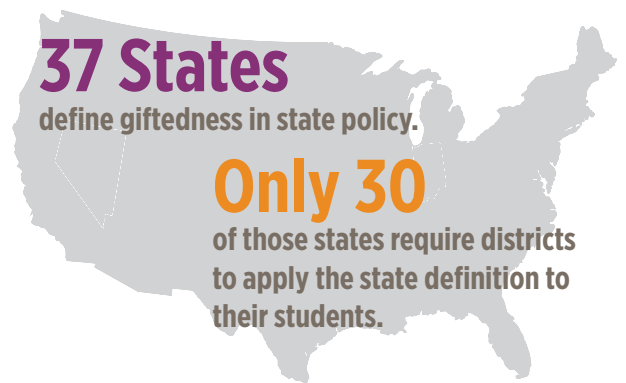
State and Federal Policy: **NATIVE AMERICAN YOUTH**



opportunities to learn, 3) increase access to early childhood education, 4) increase learning opportunities for disadvantaged and minority children with outstanding talents, 5) broaden the definition of gifted, 6) emphasize teacher development and 7) match world performance (i.e., learn from other nations and work to match high-achieving counterparts around the world). Most, if not all, of these recommendations still apply to gifted students today, and many of these practices have supported the achievement of students performing at all levels.⁵

Demographics: Who are gifted students?

States and districts vary in their definitions of gifted students and identify these students at varying rates. While at least 37 states define giftedness in state policy, only 30 of those states require districts to apply the state definition to their students.⁶ This variation in identification policies makes it difficult to determine national or even state-level numbers of gifted students and their demographics. Moreover, the descriptors “high-achieving,” “gifted” and “talented” are often used interchangeably (as they are in this report), further impeding efforts to collectively identify these students.



States use a variety of different mechanisms to identify gifted students, such as student test scores or teacher nominations.

Typical indicators of high achievement are scores on the National Assessment of Education Progress (NAEP), SAT, international tests, such as the Programme for International Student Assessment, as well as Advanced Placement (AP) tests, and participation and performance in STEM classes and careers. International test results show that the U.S. produces fewer students reaching the highest achievement levels compared to New Zealand, Shanghai-China, Canada, Singapore, Finland and Japan.⁷ However, many in the U.S. caution that academic achievement is not the sole indicator of giftedness.⁸



A seminal 1972 report to Congress, the Maryland Report, encouraged states to identify “a minimum of 3-5% of the school population as gifted.”⁹ However, instead of setting a minimum for identifying gifted students as recommended by the Maryland Report, some states — such as **Maine** and **Connecticut**—set a maximum limit to the percent of students a district may identify as gifted.¹⁰ In addition, equity concerns surrounding the identification of gifted students exist. For example, minority and low-income students have historically been and continue to be underrepresented in gifted programs.¹¹ One study reports that “high achievers are only one-sixth as likely to be eligible for the free or reduced price meals program—a proxy for family income—as low achievers.”¹²



National Perspective: What is the federal government's involvement?

The new reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA), the Every Student Succeeds Act (ESSA), maintains the prior authorization's, No Child Left Behind (NCLB) definition of gifted and talented (G/T) students as students "who give evidence of high achievement capability in areas such as intellectual, creative, artistic, or leadership capacity, or in specific academic fields, and who need services or activities not ordinarily provided by the school in order to fully develop those capabilities."¹³

ESSA also maintains ESEA's Javits Gifted and Talented program.¹⁴ First enacted in 1988, this program, "funds research and demonstration projects related to gifted education rather than direct federal support."¹⁵ However, in the 2016 fiscal year, the Javits program received only \$12 million from the U.S. Department of Education. Assuming that 10 percent of the country's student populations are gifted, then this would equate to less than \$3 per student in funding.¹⁶ NCLB and ESSA did not include additional federal policy supports explicitly providing for gifted students.

Many state departments of education have observed that NCLB had a negative effect on gifted education "due to the law's focus on underperforming students, effects on the level of gifted education funding, the lack of gifted education language in the law, and a concentration on standardized testing that discourages investment in services to gifted children."¹⁷ However, changes to accountability systems and other education policies that may result from ESSA's changes may offer an opportunity for greater focus on gifted students.

State Policy: Identification, funding and accountability

While federal law offers a definition of gifted students, states and districts are solely responsible for all education policies related to gifted students. Because of their local nature, these policies can vary widely across the states.

Identification

At least 32 states have legislative mandates to identify gifted students,¹⁸ although at least eight states were not funding their student identification or support services mandates as of a 2014 survey.¹⁹ Districts typically have significant leeway in how they identify these students, as criteria for identification may be determined at the local or state levels or a combination of both.²⁰ As of 2014, "eleven states required a particular identification process, while the others left some or all of the specifics to the [districts]."²¹

In general, states and districts recognize giftedness identifications when students transfer from outside the state or district, and many states authorize districts to determine whether to accept out-of-district or out-of-state identifications. While no state expressly prohibits districts from recognizing other in-state districts' identifications, only 12 states expressly permit this practice.²²

In the past decade, at least three states have passed policies relating to gifted student screening and identification. **Colorado's** 2014 gifted program bill required the state to offset the costs to districts of conducting universal screening of all students by second grade, among other things.²³ **California** and **Delaware** required the establishment of standards for identifying gifted students in 2012 and 2013 respectively.²⁴

Funding

Many states recognize the importance of providing additional funding for G/T students. A recent report from EdBuild found that 32 states currently provide additional funding for G/T programs in their state. States have chosen to provide this additional funding in several different ways:

- **State Funding Formula (11 states):** These states provide G/T funding through their state's primary school funding formula. In some cases, the funding is designated specifically for G/T programs while in other cases districts may but are not required to spend the funding on G/T programs.
- **Non-Competitive Grants (18 states):** These states provide grants to districts, often based on their total student enrollment, for qualifying G/T programs.
- **Competitive Grants (Two states):** Delaware and **Indiana** provide school districts with G/T funding through competitive grants.
- **Other (One state):** **North Dakota** provides G/T funding to districts by reimbursing them for a portion of their G/T expenses.²⁵

Accountability

States vary widely in the level of accountability to which they hold gifted programs. As of a 2014 survey, only about half of states collected data on identified gifted learners, and the depth and detail of that data varies. While at least 18 states “required districts to submit gifted program plans” to the state, at least 19 states “did not monitor or audit [district] gifted programs as of 2014.”²⁶

AS OF A 2014 SURVEY, ONLY ABOUT HALF OF STATES COLLECTED DATA ON IDENTIFIED GIFTED LEARNERS, AND THE DEPTH AND DETAIL OF THAT DATA VARIES.

In the past decade, at least three states have passed policies relating to accountability. **Missouri** required school report cards to include gifted program and student data, **Ohio** mandated a new accountability indicator reflecting gifted student performance and services, and **Texas** established standards to evaluate gifted programs.²⁷

In a recent report on the extent to which states' accountability systems support high-achieving students, the Fordham Institute recommends that states prioritize high-achievers in their accountability systems. Fordham argues that most state accountability systems currently prioritize bringing low achievers up to proficiency, which incentivizes schools to neglect high-achievers. Instead, the report suggests that state accountability systems could better serve high-achievers by giving greater weight to student growth and students attaining advanced achievement levels, as well as by identifying gifted students as a separate subgroup.²⁸

Types of Gifted Programs

Most gifted student education state policies enacted over the past decade address gifted programs, rather than establishing or modifying identification processes or accountability systems. States offer gifted students a variety of programs that can be roughly classified into acceleration strategies and grouping strategies.



Acceleration Strategies

Generally, states have implemented two main types of acceleration strategies: content-based acceleration and grade-based acceleration. Content-based acceleration includes subject acceleration (for example, a third-grade student in fourth-grade math), curriculum compacting (teachers adjust instruction for advanced students in regular classrooms), dual enrollment or participation in Advanced Placement (AP) or International Baccalaureate programs. Grade-based acceleration includes actions such as grade skipping, early admission to the next level of schooling or early graduation.

Many concerns with acceleration center on the ability of accelerated students to fit in with older students and the need for greater social and emotional support. However, research studies observe positive effects of acceleration on students' academic performance and no negative effect on social skills and development.²⁹ Additionally, many forms of acceleration may prove more cost-effective than other gifted programs and may even "save taxpayers money by advancing gifted learners through public schools more quickly."³⁰ In addition, teachers overwhelmingly favor grade- and content-based acceleration as strategies for supporting advanced students,³¹ although teachers may find curriculum compacting particularly challenging.³²

Content-based and grade-based acceleration tactics overlap with growing support to move beyond age- and grade-based advancement toward a competency- or performance-based system. This shift from an emphasis on seat time to an emphasis on mastery of content could benefit gifted students by allowing them to advance at their own pace.

Grouping Strategies

Grouping strategies can overlap with content-based acceleration, but in general, refer to clustering advanced students together within or outside of a classroom to receive separate instruction. These strategies are sometimes referred to as pull-out programs, clustering, ability grouping or performance-based grouping. Magnet schools or special state schools may also provide an avenue for grouping advanced students together.

Grouping strategies may face criticism if they lead to tracking students. Tracking can have negative effects on students by labeling low-income and minority students as low-performing early on in their educational careers. Because low-income and minority students are more likely to be taught by less-qualified teachers and to receive fewer supports at school,³³ ability grouping can have long-term effects on these students who may only need minimal additional support to reach their gifted potential. According to some research, tracking may exacerbate inequality with little effect on the overall achievement in the school or class.³⁴

ACCELERATION STRATEGIES

Some content acceleration strategies, such as dual enrollment or AP participation, can benefit not only gifted students but many other student groups. To find out more about these strategies, including strategies in your state, check out these resources from Education Commission of the States:

- 50-state comparisons on **Dual Enrollment** and **Advanced Placement**
- **Advanced Placement: Model policy components**
- **Dual Enrollment: A strategy to improve college-going and college completion among rural students**
- **Dual Enrollment: 13 model policy components**

Key Issue: Equity

Low-income and minority students are less likely to be identified as gifted or to participate in gifted education programs.³⁵ A lack of school- and district-level data complicates efforts to identify the cause of these disparities, but some researchers have noted that “the decentralization of gifted education funding and policy could be one of the reasons for persisting and widely varying excellence gaps.”³⁶ Black students, for example, are “less likely to attend schools with gifted programs,”³⁷ which may be because these students are more likely to attend schools in poorer districts that lack the resources to maintain gifted programs.

LOW-INCOME AND MINORITY STUDENTS ARE LESS LIKELY TO BE IDENTIFIED AS GIFTED OR TO PARTICIPATE IN GIFTED EDUCATION PROGRAMS.

- **Screening:** Universal screening has been shown to have a significant positive effect on the identification of black and Latino gifted students.³⁸ However, Education Commission of the States is not aware of any states that require statewide universal screening for gifted students. In addition, a survey of middle school gifted programs across the country found that states/schools most commonly use alternative assessments—such as bilingual verbal ability tests or student portfolios or interviews—and teacher recommendations to identify historically underrepresented gifted students, as opposed to universal screening.³⁹
- **Achievement:** Underserved students are also less likely to be identified as gifted because most states emphasize academic achievement in identification. Minority students have been historically underserved by their schools; for example, they are more likely to be taught by less qualified, less effective teachers. Because these groups have performed worse academically than their white peers, they are less likely to be identified as gifted when emphasizing academic achievement.⁴⁰
- **Racial Disparities:** Additionally, disparities in gifted education have been attributed to “lower social and financial capital,” which may give minority families “less access to information about identification processes or to private psychologists or others who can test them for giftedness outside of school.” Due to teacher perceptions of different races, racial disparities may also be linked to unequal identification.⁴¹ For example, one recent study showed that black students with non-black teachers are less likely to receive gifted services.⁴² This identification gap may be due to “differences in backgrounds or biases in [non-black teachers’] judgments or expectations” or to differences in the way students perform and behave with non-own-race teachers. Even parents’ level of involvement may differ with own-race teachers.⁴³

Racial disparities in gifted students may be caused by **unequal identification** and **unequal access** to gifted programs.

Policy Considerations

While states may leave many G/T program decisions to districts, state policymakers may want to consider how state-level policies can support improved identification and accountability practices, which may help alleviate existing inequities, increase the number and availability of high-quality programs, and ultimately better serve all gifted students.



Identification

- Consider fully funding existing mandates for gifted student identification.
- Consider how the state could support districts' ability to conduct universal screening.
- Explore alternative forms of identification, particularly those that are not dependent on academic achievement alone, and offer students multiple opportunities for identification.
- Consider developing uniform statewide criteria for gifted student identification.
- Consider providing professional development to teachers to improve their effectiveness at identifying gifted students.
- Consider bolstering state and district efforts to recruit and retain minority teachers.

Accountability

- Consider how the state can provide schools and districts with standards for high-quality gifted programs and guidance for their implementation.
- Collect data on gifted students and programs across the state to better identify how districts support gifted students and better identify inequities between districts.
- Emphasize high-achievers in state accountability systems by giving greater weight to student growth and students attaining advanced achievement levels and by identifying gifted students as a separate subgroup.

Additional Resources

- A wide variety of resources on gifted children and education can be found at the [National Association for Gifted Children](#).
- For more on curriculum compacting, see [Curriculum Compacting: A Systematic Procedure for Modifying the Curriculum for Above Average Ability Students](#).
- For examples of language from state acceleration policies and a Checklist for Developing an Academic Acceleration Policy developed by the National Work Group on Acceleration, see [Guidelines for Developing an Academic Acceleration Policy](#).
- For a state-by-state look at gifted education funding, see [EdBuild's report](#).
- Gifted education centers housed in colleges of education include:
 - The University of Connecticut's [Renzulli Center for Creativity, Gifted Education, and Talent Development](#).
 - The University of Denver's [Institute for the Development of Gifted Education](#).
 - Purdue University's [Gifted Education Resource Institute](#).

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2014-2015

**State of the States
in Gifted Education**
Policy and Practice Data



NATIONAL ASSOCIATION FOR
Gifted Children

CSDPG
THE COUNCIL OF STATE DIRECTORS
OF PROGRAMS FOR THE GIFTED

Table 14: Requirements for Identification

	Require parent involvement in GT decisions (Q51)	Require specific criteria/ methods to identify (Q52)	Indicators required for identifying (Q53)	Percent of LEAs that identify GT (Q54)
Alabama	No	Yes, determined at the state level Yes, determined at the local level Other: Enrichment Model Programs determine criteria with state approval	Indicators are not specified IQ scores Multiple criteria model Behaviors/characteristics data Performance/portfolio	100%
Alaska				
Arizona	Yes	Yes, determined at the state level Yes, determined at the local level Other: ARS 15-779.02, A., 1. Provide for routine screening for gifted pupils using one or more tests adopted by the state board	IQ scores Range of state-approved assessments from which LEAs may select Other: LEAs may go beyond minimum 'safety-net' identification criteria. See ARS 15-779.02 A. 1. "...School districts may identify any number of pupils as gifted but shall identify as gifted at least those pupils who score at or above the ninety-seventh percentile, based on national norms, on a test adopted by the state board of education."	100% of district LEAs. Charter LEAs are not required to adhere to the state's gifted education mandate. However, many charters have chosen to provide for identification and services.
Arkansas	Yes	Yes, determined at the local level Other: State standards have general requirements for criteria used in identification, but local LEAs have flexibility within the requirements.	Achievement data Nominations/ referrals Multiple criteria model Behaviors/characteristics data Performance/portfolio	100%
California	No	No		The CDE does not require LEAs to report this data.
Colorado	Yes	Yes, determined at the state level	IQ scores Achievement data Nominations/ referrals Multiple criteria model Behaviors/characteristics data Performance/portfolio Range of state-approved assessments from which LEAs may select	100%
Connecticut	Yes	No		100%

	Require parent involvement in GT decisions (Q51)	Require specific criteria/ methods to identify (Q52)	Indicators required for identifying (Q53)	Percent of LEAs that identify GT (Q54)
Delaware	Yes	Yes, determined at the local level	Other: Multiple means for identifying students for services.	70%
D.C.	No			
Florida	Yes	Yes, determined at the state level Yes, determined at the local level	IQ scores Nominations/ referrals Range of state-approved assessments from which LEAs may select Other: Plan B is left to districts for qualifying students	100%
Georgia	No	Yes, determined at the state level	IQ scores Achievement data Multiple criteria model Range of state-approved assessments from which LEAs may select	100%
Hawaii	Yes	Other: Recommendations are given, but not mandated	Indicators are not specified	100%
Idaho	Yes	No		60%
Illinois	No	Other: If there is funding identification is required by scoring in the top 5% locally in the aptitude of math or language arts.	Other: No requirements	Unknown. Because there is no funding for gifted, we do not collect data.
Indiana	No	Yes, determined at the local level	Indicators are not specified Multiple criteria model Other: Locally determined	99.70%
Iowa	No	Yes, determined at the local level	Multiple criteria model	100%
Kansas	Yes	Yes, determined at the local level	Indicators are not specified	100% as required by state statute and regulation

	Require parent involvement in GT decisions (Q51)	Require specific criteria/ methods to identify (Q52)	Indicators required for identifying (Q53)	Percent of LEAs that identify GT (Q54)
Kentucky	Yes	Yes, determined at the state level	<p>IQ scores</p> <p>Achievement data</p> <p>Nominations/ referrals</p> <p>Multiple criteria model</p> <p>Behaviors/characteristics data</p> <p>Performance/portfolio</p>	16%
Louisiana	Yes	Yes, determined at the state level	<p>IQ scores</p> <p>Achievement data</p> <p>Nominations/ referrals</p> <p>Multiple criteria model</p> <p>Performance/portfolio</p> <p>Range of state-approved assessments from which LEAs may select</p>	100% of the public schools and 45% of the charter schools
Maine	No	Yes, determined at the local level	<p>Multiple criteria model</p> <p>Other: A minimum of three identification tools is required one of which must be objective when identifying students in the academic areas.</p>	78%
Maryland	No	Yes, determined at the local level	Indicators are not specified	100%
Massachusetts				
Michigan				
Minnesota	No	<p>No</p> <p>Other: State statute provides guidance on identification procedure</p>	<p>Other: State statute 120B.15 requires all school districts to adopt guidelines for assessing and identifying students for participation in gifted and talented programs. State provides specific guidance on what the procedure should include.</p>	100%
Mississippi	Yes	Yes, determined at the state level	<p>IQ scores</p> <p>Nominations/ referrals</p> <p>Multiple criteria model</p> <p>Range of state-approved assessments from which LEAs may select</p>	100%
Missouri	No	Other: Yes, state established minimum placement criteria but local can establish higher criteria	Multiple criteria model	37%

	Require parent involvement in GT decisions (Q51)	Require specific criteria/ methods to identify (Q52)	Indicators required for identifying (Q53)	Percent of LEAs that identify GT (Q54)
Montana	No	Yes, determined at the local level	Indicators are not specified	Unknown. Local control. No statewide data collection that is universally adhered to.
Nebraska	No	No		100%
Nevada	Yes	Yes, determined at the state level Yes, determined at the local level	IQ scores Achievement data	80%
New Hampshire				
New Jersey	No	Yes, determined at the local level	Indicators are not specified Other: Administrative Code requires districts to use multiple measures in the identification of gifted students. The types of indicators that are used are up to the discretion of the district.	We do not have this data. The assumption is 100%, given it is a Code requirement.
New Mexico				
New York				
North Carolina	Yes	Yes, determined at the local level	Nominations/ referrals Multiple criteria model LEA determined; must align with State Board of Education policy, NC AIG Program Standards	100%
North Dakota				
Ohio				
Oklahoma	Yes	Yes, determined at the local level	Nominations/ referrals Range of state-approved assessment from which LEAS may choose	100%
Oregon				
Pennsylvania	Yes	Yes, determined at the local level	IQ scores Achievement data Multiple criteria model Other: Rates of acquisition and retention	100%

	Require parent involvement in GT decisions (Q51)	Require specific criteria/ methods to identify (Q52)	Indicators required for identifying (Q53)	Percent of LEAs that identify GT (Q54)
Rhode Island	No	Yes, determined at the local level	Multiple criteria model	Data not collected
South Carolina	No	Yes, determined at the state level	Achievement data Multiple criteria model Range of state-approved assessments from which LEAs may select Other: We also provide a State Performance Task Assessment for dimension C with grades 2-5.	100%
South Dakota				
Tennessee	Yes	Yes, determined at the state level	IQ scores Achievement data Other: Creativity/characteristics of gifted	
Texas	Yes	Yes, determined at the local level	Achievement data Nominations/ referrals Multiple criteria model Behaviors/characteristics data Performance/portfolio	85%
Utah	No	No Other: LEA's shall have a process for identifying students whose academic achievement is accelerated based upon multiple assessments.		96% of LEA's identify GT students.
Vermont				
Virginia	Yes	Yes, determined at the local level	iQ scores Achievement data Nominations/ referrals Multiple criteria model Behaviors/characteristics data Performance/portfolio Range of state-approved assessments from which LEAs may select	100%

Table 18: Gifted and Talented Programming and Services

	Categories of GT programs/services required and/or offered (Q78)							
	Visual/performing arts	Leadership	Intellectual	General academic	Creativity	Specific academic areas	None: No specific services	
Alabama	Offered in Schools/Districts	Offered in Schools/Districts	Required by State	Required by State	Required by State	Required by State		
Alaska								
Arizona	Offered in Schools/Districts	Offered in Schools/Districts	Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts		
Arkansas			Required by State Offered in Schools/Districts		Required by State Offered in Schools/Districts			
California	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Required by State	
Colorado	Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts		
Connecticut								
Delaware	Offered in Schools/Districts		Offered in Schools/Districts	Offered in Schools/Districts		Offered in Schools/Districts		
D.C.								
Florida	Offered in Schools/Districts	Offered in Schools/Districts	Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts		
Georgia	Offered in Schools/Districts	Offered in Schools/Districts	Required by State	Required by State	Offered in Schools/Districts	Required by State Offered in Schools/Districts		
Hawaii	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Required by State	
Idaho	Required by State	Required by State	Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts	Required by State	Required by State Offered in Schools/Districts		

Categories of GT programs/services required and/or offered (Q78)							
	Visual/ performing arts	Leadership	Intellectual	General academic	Creativity	Specific academic areas	None: No specific services
Illinois							Required by State Offered in Schools/Districts
Indiana	Offered in Schools/Districts	Offered in Schools/Districts	Required by State	Required by State	Offered in Schools/Districts	Required by State	
Iowa	Required by State	Required by State	Required by State	Required by State	Required by State	Required by State	Required by State
Kansas			Required by State				
Kentucky	Required by State	Required by State	Required by State	Required by State	Required by State	Required by State	
Louisiana	Required by State Offered in Schools/Districts		Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts			
Maine	Required by State		Required by State			Required by State	
Maryland	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	
Massachusetts							
Michigan							
Minnesota	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	
Mississippi	Offered in Schools/Districts	Offered in Schools/Districts	Required by State	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	
Missouri	Offered in Schools/Districts		Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	
Montana							Required by State
Nebraska			Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	
Nevada	Required by State	Required by State	Required by State	Required by State	Required by State	Required by State	
New Hampshire							

Categories of GT programs/services required and/or offered (Q78)							
	Visual/ performing arts	Leadership	Intellectual	General academic	Creativity	Specific academic areas	None: No specific services
New Jersey							Required by State Offered in Schools/Districts
New Mexico							
New York							
North Carolina			Required by State	Required by State		Required by State	
North Dakota							
Ohio							
Oklahoma	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	
Oregon							
Pennsylvania			Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts		Required by State Offered in Schools/Districts	
Rhode Island			Required by State	Required by State	Required by State	Required by State	
South Carolina	Required by State	Required by State	Required by State	Required by State	Required by State	Required by State	
South Dakota							
Tennessee	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Required by State
Texas	Offered in Schools/Districts	Offered in Schools/Districts	Required by State Offered in Schools/Districts	Required by State Offered in Schools/Districts	Offered in Schools/Districts	Required by State Offered in Schools/Districts	
Utah			Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Required by State
Vermont							
Virginia	Offered in Schools/Districts		Required by State			Required by State	
Washington							
West Virginia							Required by State

Categories of GT programs/services required and/or offered (Q78)							
	Visual/ performing arts	Leadership	Intellectual	General academic	Creativity	Specific academic areas	None: No specific services
Wisconsin	Required by State	Required by State	Required by State	Required by State	Required by State	Required by State	
Wyoming	Required by State Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	Offered in Schools/Districts	
Summary	<i>Responses to Q78: 30</i>						
	<i>Responses: 27</i>	<i>Responses: 21</i>	<i>Responses: 32</i>	<i>Responses: 28</i>	<i>Responses: 23</i>	<i>Responses: 29</i>	<i>Responses: 9</i>
	Required: 11 Offered: 19	Required: 7 Offered: 15	Required: 22 Offered: 18	Required: 17 Offered: 19	Required: 9 Offered: 16	Required: 16 Offered: 18	Required: 9 Offered: 2